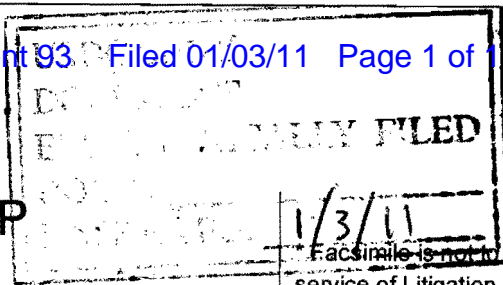


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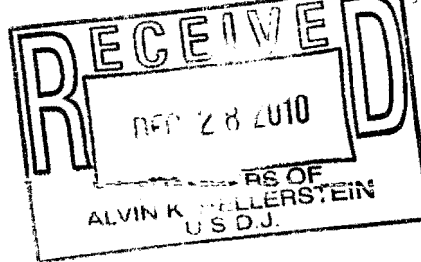
Telephone: (516) 280-3660
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Via Facsimile and First Class Mail

The Honorable Alvin Hellerstein
United States District Court
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York NY 10007-1312

December 24, 2010



*Adjourned to
January 31, 2011
3:00 pm.
at 12/30/10*

Re: *Novick v. AXA Network, LLC*
Case No. 07-CV-7767(AKH)(KNF)

Dear Judge Hellerstein:

This law firm represents Plaintiff Steven Novick in the above-referenced matter. By copy of this letter, and in lieu of a more formal motion, please allow this missive to serve as Mr. Novick's request on consent of both parties to reschedule the oral argument currently scheduled for January 5, 2010 on Defendants' motion to dismiss. Please be advised that a copy of same has been contemporaneously served upon counsel in this matter.

As set forth above, oral argument in this matter is currently scheduled for January 5, 2010. Ironically, oral argument on the appeal of the judgment entered in this case is also scheduled for January 5, 2010 in the Second Circuit. It is respectfully requested that the oral argument before this Court be adjourned to a later date so that both counsels can focus on only one argument at a time and devote the necessary time to properly prepare for same.

Therefore, upon consent of both parties, it is hereby requested that oral argument on this matter be postponed.

Thank you for your courtesy and cooperation.

Very truly yours,

Michael Finkelstein

cc: Mr. Michael Kalish, Esq.